

November 9, 2018

**VIA ECF AND EMAIL**

Hon. Cathy Seibel  
United States District Court  
Southern District of New York  
300 Quarropas Street  
White Plains, New York 10601-4150

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Re: *National Association for the Advancement of Colored People, Spring Valley Branch v. East Ramapo Central School District, No. 17 Civ. 8943*

Dear Judge Seibel:

We write on behalf of the Plaintiffs in the above referenced action to request the Court's authorization to file Plaintiffs' forthcoming Opposition to the Board Members' Motion for Reconsideration (ECF No. 184) and accompanying exhibits under seal.

Plaintiffs request seven exhibits which consist of five documents (three chat messages and two emails) produced by the District in this action that are all designated as "confidential" pursuant to the Parties' Stipulated Protective Order, dated February 6, 2018 (the, "Protective Order", ECF No. 64), and two deposition transcripts designated as "confidential" under Paragraph 17 of the Protective Order,<sup>1</sup> to be filed under seal, along with Plaintiffs' Opposition, which references those seven documents.

While Plaintiffs do not believe these documents contain information that "adversely affect[s] the producing person's privacy obligations or personal interests" (Protective Order, "Definitions"), because the District designated this information as "confidential," Plaintiffs respectfully request that these exhibits be filed under seal. Plaintiffs reserve all rights to challenge these designations of confidentiality. Plaintiffs also attach a proposed order for the Court's consideration. We appreciate Your Honor's consideration in this matter.

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<sup>1</sup> Plaintiffs received the official transcript for Mr. Charles' deposition on November 1, 2018, and Mr. Germain's deposition on October 31, 2018. Counsel for the Board members have fourteen days from those dates to designate in writing some or all of those transcripts as confidential. After that fourteen day period, "[n]o portion of the transcript[s] shall be deemed Confidential." ECF No. 64. ¶ 17.

**LATHAM & WATKINS LLP**

Plaintiffs will electronically file redacted versions of their Opposition and the accompanying seven exhibits today. Plaintiffs' courtesy copies of the unredacted Opposition and exhibits are also forthcoming.

Respectfully submitted,

/s/ Claudia T. Salomon  
Claudia T. Salomon

cc: All Counsel of Record via ECF